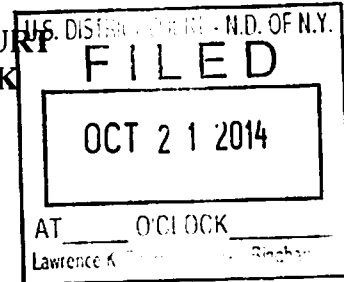


IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
BINGHAMTON DIVISION



JOSEPH A. CAMP,
Plaintiff,

vs.

JAMES McGIBNEY,
10620 Southern Highlands
Parkway
Suite 110-234
Las Vegas, NV 89141

CHEATERVILLE.COM,
10620 Southern Highlands
Parkway
Suite 110-234
Las Vegas, NV 89141

BULLYVILLE.COM,
10620 Southern Highlands
Parkway
Suite 110-234
Las Vegas, NV 89141

CONTENTCOLO.COM,
848 N. Rainbow Blvd. Suite 2016
Las Vegas, NV 89107
Defendants.

COMPLAINT AND DEMAND FOR
JURY TRIAL

DEFAMATION OF CHARACTER –
LIBEL

28 USC § 1332

CIVIL ACTION No. 5:14-cv-1287
DNH/DEP

NOW COMES the Plaintiff, JOSEPH A. CAMP, *pro se*, pursuant to 28 U.S.C. § 1332 brings this action against the Defendants, JAMES McGIBNEY, CHEATERVILLE.COM, BULLYVILLE.COM, CONTENTCOLO.COM, and for reasons states:

STATEMENT OF JURISDICTION

1. At all times herein mentioned, Plaintiff was / is a resident of the Northern District of New York.

2. The Defendant JAMES McGIBNEY is CEO of ViaView, Inc. and its subsidiaries Defendants CHEATERVILLE.COM -an “involuntary porn” also known as “revenge porn¹” site², and BULLYVILLE.COM -a hate speech³ site that is used to attack, on the Internet⁴ and in the courts⁵ the personal enemies of Defendant JAMES McGIBNEY; who are all three corporations incorporated under the laws of Delaware with its principal place of business being on the “Internet” and 20 locations throughout the world. This unique workplace was proffered by corporate counsel for JAMES McGIBNEY, CHEATERVILLE.COM, and BULLYVILLE.COM in one of many harassing lawsuits against Thomas Retzlaff in California (Santa Clara) at oral arguments as follows:

“MR. LEIDERMAN: [...] There are at least 20 different work sites for ViaView. Here's why: It's an Internet-based business, and everyone works out of their home or their home office. I think – I may be the only one – oh, no. The board members. So the six board members and me, corporate counsel, are the seven that actually work out of offices.

There's a concentration – I think three or four of the board members are in Law Vegas, but the 12 employees, Mr. McGibney, the rest of them are scattered all throughout country. Everyone does it Internet based. She's been volunteering from Peru. This is the

- 1 “Revenge porn is sexually explicit media that is publicly shared online without the consent of the pictured individual. ¶ Revenge porn is typically uploaded by ex-partners or hackers. Many of the images are “selfies” which are taken by the subject of the photo. The images are often accompanied by personal information including the pictured individual's full name, links to Facebook and social media profiles or addresses.” (See: *Viaview Inv. v. Thomas Retzlaff et al. Case No. 5:14-cv-01059 HRL, Amended Complaint, Document 5 ¶ 16., Northern District of California, San Jose Division.*)
- 2 See: Exhibit 5, for examples of posts from CHEATERVILLE.COM that fit the definition of “revenge porn” as defined by Defendants *supra*. (Incorporated in whole, by reference.)
- 3 See: Exhibit 6, for examples of hate-speech from BULLYVILLE.COM. (Incorporated in whole, by reference.)
- 4 See Exhibit 7, for public admissions of association with an “army” of hackers, and cyber “gangs”, that “feed” him “stolen images” and “personal information” about his “targets”: <http://america.aljazeera.com/articles/2014/10/7/james-mcgibney-bullyville.html>, <http://www.dailymail.co.uk/tvshowbiz/article-2302557/Anti-bullying-group-rushes-Kate-Gosselins-aide-outing-reality-stars-Twitter-haters-employers.html>: <http://starcasm.net/archives/210922>. (Incorporated in whole, by reference.)
- 5 See use of BULLYVILLE.COM to bolster lawsuit trolling by Defendant's JAMES MCGIBNEY, CHEATERVILLE.COM, BULLYVILLE.COM:
 - 1.) *McGibney v. Retzlaff et al.*, No. 067-270669-14, Tarrant County District Court, Texas, filed February 19, 2014;
 - 2.) *McGibney v. Retzlaff et al.*, No. 14-cv-01059-HRL, U.S. District Court for the Northern District of California, filed March 6, 2014;
 - 3.) *McGibney v. Retzlaff*, No. 1-14-CH-005400, Santa Clara County District Court, California, filed, March 17, 2014.
 - 4.) *ViaView, Inc. v. Hunter Moore*, Case No. A-12-667156-C, District Court Clark County, Nevada;
 - 5.) *ViaView, Inc. v. Joseph A. Camp*, Case No. 56-2014-00450-PT-VTA, Ventura County Superior Court, Ventura, California, March 27, 2014;
 - 6.) *Jason Leiderman. v. Susan Basko*, 56-2014-00458195-CU-HR-VTA, Ventura County Superior Court, Ventura, California, September, 23, 2014;
 (Incorporated in whole, by reference.)

Internet. They're all remote sites.

THE COURT: So the workplace is the Internet?

Mr. LEIDERMAN: That is the workplace for ViaView. There is no – there is no centralized work space. No one that's doing their work for ViaView doesn't do it remotely. ...”

(See: *ViaView, Inc. v Thomas Retzlaff*, ppg 13 (lines 12 - 28) and 14 (lines 1 – 3), Superior Court of California, County of Santa Clara, Reporter's Transcripts of Proceedings, No. -14-CH-005460, May 12, 2014. Emphasis Added)

3. The amount in controversy, without interest and costs exceeds \$75,000.00.

DEFAMATION OF CHARACTER - LIBEL

BULLYVILLE.COM

4. The Plaintiff is a reformed convicted computer hacker who now speaks in opposition to revenge porn sites and online bullying.

5. On or about May 20,2014, Defendants posted a statement with Plaintiff's picture on BULLYVILLE.COM website that states:

Joseph A. Camp came into court today and asked to have his court appointed attorney removed. In all his years as a public defender, this guy never told the judge, "yeah, do it, I can't represent this guy".....but he did with Camp. So Camp will have new counsel appointed. As we are all aware, An American Hostage is never at fault, it is always an issue with the lawyer. So the judge started off extremely impressed with our hero.

The judge made some comments that, after reading the letters, he was extremely troubled by Camp's conduct and said that if even half of it is true it is cause for alarm. The judge implied heavily that he would not agree to a 5 month jail term and no supervised release. It is now uncertain what will happen to Camp. The judge may give him the two year max and then one more year of supervised release, but will likely do something short of that. The central issue is that the judge wants to find a way to have Camp conform his behaviors to societal norms but recognizes that Camp may be incapable of such good behavior. There may be no choice but to lock him up for the max. Stay tuned.

Camp will get new appointed counsel and they will need some time to get up to

speed. The probation office is trying to figure out what to do as well. They feel he may be too difficult to supervise. It seems an impossible situation for all, as Camp can't be supervised, can't control his behavior and doesn't want to anyway. We'll see what happens." (See Exhibit 1, incorporated herein by reference in whole. Found at: <http://www.bullyville.com/?page=articles&id=937>)

6. The statement referred to Plaintiff by name throughout, was made of and concerning Plaintiff, and was so understood by those who read the statement.
7. The entire statement on the BULLYVILLE.COM website is false as it pertains to Plaintiff. The Judge sentenced Plaintiff to five months of incarceration for a curfew violation alone.
8. The statement is libelous on its face. It clearly exposes Plaintiff to hatred, contempt, ridicule and obloquy because it charges Plaintiff, who is not a stalker, with having stalked numerous people.
9. The statement is constantly seen and read by anyone who visits the BULLYVILLE.COM website. As of the date of filing this complaint more than 280,710 persons have visited the website, including his family, employer, education institution.
10. As a proximate result of the above-described publication, Plaintiff has suffered a loss of his reputation, shame, mortification, injury to his feelings and alienation of affections, lose of employment opportunity, and homelessness.
11. The above-described publication was not privileged because it was published by Defendants with malice, hatred and ill will toward Plaintiff and the desire to injure his professional reputation.
12. Defendants are clearly at fault for the publication.

CHEATERVILLE.COM

13. Paragraph 4 is reiterated here in whole.
14. On or about September 29, 2014, Defendants posted a statement with Plaintiff's picture on CHEATERVILLE.COM website that states:

*"I was dating Joseph A Camp before he was sent to prison for being an idiot. Jotato loves to stalk people and snort cinnamon. I used to put cinnamon around my **** area and he would snort it off and rub it on his silly nipples. While he was in the big house I found out that he was cheatin on me with some guy named Tony Greene. When I saw the pictures that Joseph sent Tony once he was released I was appalled. I confronted Joseph and he said that once you go black you never go back. I thought I knew him but I was wrong. I searched his name in google and found out he is a very bad man with a really tiny *****.*
https://encyclopediadramatica.es/Joseph_Camp"⁶. (See Exhibit 2 incorporated herein by reference in whole. Found at: <http://www.cheaterville.com/?page=search&firstName=Joseph&lastName=Camp&city=City&country=>)

15. The statement referred to Plaintiff by name throughout, was made of and concerning Plaintiff, and was so understood by those who read the statement.
16. The entire statement on the CHEATERVILLE.COM website is false as it pertains to Plaintiff. Plaintiff is heterosexual. None of the statements in this statement are true.
17. The statement is libelous on its face. It clearly exposes Plaintiff to hatred, contempt, ridicule and obloquy because it charges Plaintiff, who is not a cheater, let alone a homosexual cheater.
18. The statement is constantly seen and read by anyone who visits the CHEATERVILLE.COM website. As of the date of filing this complaint more than 19,748 persons have visited the website, including his family, employer, education institution, and girlfriend.
19. As a proximate result of the above-described publication, Plaintiff has suffered a loss of his reputation, shame, mortification, injury to his feelings and alienation of affections, lose of employment opportunity, and homelessness.
20. The above-described publication was not privileged because it was published by Defendants

⁶ https://encyclopediadramatica.es/Joseph_Camp (www.jojocamp.com) is a site that is also defamatory and libels Plaintiff, and was being heavily promoted by Defendants JAMES McGIBNEY, CHEATERVILLE.COM, BULLYVILLE.COM's corporate counsel Jason Scott Leiderman through his Twitter account at "@JayLeidermanLaw". (See Exhibits 3 and 4 incorporated herein by reference in whole.) This site is not being sued in this action, but referenced for clarity. Upon information and belief this site has been shuttered by the government for extortion, blackmail, and RICO related crimes.

with malice, hatred and ill will toward Plaintiff and the desire to injure his professional reputation.

21. Defendants are clearly at fault for the publication.

CONTENTCOLO.COM⁷

22. Paragraph 4 is reiterated here in whole.

23. At all times herein all content of Defendants CHEATERVILLE.COM and BULLYVILLE.COM through their parent company Viaview, Inc. are hosted on CONTENTCOLO.COM servers.

24. CONTENTCOLO.COM is the Internet Service Provider for Viaview, Inc., parent company for CHEATERVILLE.COM and BULLYVILLE.COM.

JAMES McGIBNEY

25. Paragraph 4 is reiterated here in whole.

26. All content on CHEATERVILLE.COM and BULLYVILLE.COM after submitted by a user, must be personally approved after moderation, by JAMES McGIBNEY.

27. Defendant JAMES McGIBNEY is the Registered Agent for process for Defendant's CHEATERVILLE.COM⁸, and BULLYVILLE.COM⁹.

PRAYER FOR RELIEF

THEREFORE, the Plaintiff demands:

A. Judgment against one or all Defendants for \$350,000.00 compensatory and \$1,000,000.00 punitive damages plus interest and costs;

B. This Honorable Court order all references to and images of JOSEPH A. CAMP on CHEATERVILLE.COM website be deleted and/or removed.

C. This Honorable Court order all references to and images of JOSEPH A. CAMP on BULLYVILLE.COM website be deleted and/or removed.

⁷ See Exhibit 8 Incorporated in whole by reference.

⁸ See: Exhibit 1-A Incorporated in whole by reference.

⁹ See: Exhibit 2-A Incorporated in whole by reference.

D. This Honorable Court order all references to and images of JOSEPH A. CAMP on CONTENTCOLO.COM servers be deleted and/or removed.

E. This Honorable Court declare that CHEATERVILLE.COM is a “Revenge Porn” site as defined by Defendants in *ViaView Inc. v. Thomas Retzlaff et al. supra*.

F. Such other and further relief as this Court deems just and proper.

Respectfully submitted, this 21st day of October, 2014.

JOSEPH A. CAMP, *pro se*.

Plaintiff is now homeless, but consents to receiving notifications via e-mail at
CampJoseph01@gmail.com

AFFIDAVIT

1. *I Joseph A. Camp (affiant), being over the age of 18 and of sound mind and duly sworn, says, declares and swears under penalty of perjury that the statements in the foregoing Complaint are true and correct to the best of my knowledge, information and belief, except for matter that are based on information and belief and as to them, Plaintiff believes them to be true.*

2. *I Joseph A. Camp (affiant), being over the age of 18 and of sound mind and duly sworn, says, declares and swears under penalty of perjury that the attached exhibits, 1, 1-A, 2, 2-A, 3, 4, 5, 6, 7, 8, and 9, are true and accurate renditions of the sites and material that they portray.*

3. *I Joseph A. Camp (affiant), being over the age of 18 and of sound mind and duly sworn, says, declares and swears under penalty of perjury that to in order to obtain exhibits 1, 1-A, 2, 2-A, 7 and 8, I used <http://www.web2pdfconvert.com/> an Internet based service that converts web sites user interfaces to PDF files then allows for downloading the PDF.*

4. *I Joseph A. Camp (affiant), being over the age of 18 and of sound mind and duly sworn, says, declares and swears under penalty of perjury that to in order to obtain exhibits 3, 4, and 6, I used Window's built in screen-capture features. These exhibits are not edited for content, no alterations to them have been made.*

5. *I Joseph A. Camp (affiant), being over the age of 18 and of sound mind and duly sworn, says, declares and swears under penalty of perjury that to in order to obtain exhibit 5, I used Window's built*

in screen-capture features. These exhibits have some content highlighted for emphasis, however, no alteration to any content beyond highlighting has been made.

6. *Further affiant sayeth not.*

Respectfully submitted, this 20th day of October, 2014.



JOSEPH A. CAMP, *pro se*.

Plaintiff is now homeless, but consents to receiving notifications via e-mail at
Camp.Joseph01@gmail.com

Sworn to, before me,
this 20th day of October 2014.



NOTARY PUBLIC, State of New York
County of Tompkins.

KRISTIN SAD
Notary Public - State of New York
QUALIFIED IN TOMPKINS Co. No. 01SA6290178
COMMISSION EXPIRES Oct. 12, 2017